

ADVISORY COUNCIL
Minutes of June 10, 2009

MEMBERS PRESENT:

Patrick Early, Chair
AmyMarie Travis Lucas, Vice Chair
John Bassemier
Richard Cockrum
James Trachtman
Bill Freeman
Donald Van Meter
Kari Evans
Ross Williams
David Lupke

NATURAL RESOURCES COMMISSION STAFF PRESENT:

Sandra Jensen
Jennifer Kane

DEPARTMENT OF NATURAL RESOURCES STAFF PRESENT:

John Davis	Executive Office
Ron McAhron	Executive Office
Linnea Petercheff	Fish and Wildlife
Gregg McCollam	Fish and Wildlife
Wayne Bivans	Fish and Wildlife
Mitch Marcus	Fish and Wildlife
Mike Crider	Law Enforcement
Steve Hunter	Law Enforcement
Jim Hebenstreit	Water
Monique Riggs	Water
Phil Bloom	Communications
Cheryl Hampton	State Parks

GUESTS PRESENT:

Dwayne Burke	John Goss
Dick Mercier	Bill Herring
Jack Corpuz	Annette Eagle
Jeff Harter	Fred Mills
Don Gorney	Jerry Moll
Jeff Morgan	John Christopher
Anne Sterling	

Call to Order by Chairman, Patrick J. Early

Patrick Early, Chair of the Advisory Council, called the meeting to order at 10:35 a.m., EDT, at The Garrison, Fort Harrison State Park, 6001 North Post Road, Indianapolis, Indiana. With the presence of ten members, the Chair observed a quorum.

John Bassemier moved to approve the meeting minutes of February 11, 2009 and the meeting minutes of April 8, 2009. Bill Freeman seconded the motion. Upon a voice vote, the motion carried.

The Chair introduced a new member of the Advisory Council, Ross Williams. The Chair said, "This is his first meeting, and he has just been recently approved to be on the Council by the Governor." He welcomed Mr. Ross, and then asked Mr. Ross to provide brief background.

Ross Williams said he now resides in Indianapolis, but originally is from Northern Indiana. "I work in the local community and am very involved in the DNR." He said he enjoyed hunting, fishing, and the outdoors. "I look forward to being a part of [the Advisory Council]".

Consideration of Hearing Officer Report in Preparation for Advisory Council Summarizing Public Meetings and Making Recommendations to the Natural Resources Commission Regarding Request by Indianapolis Power & Light Company for a Water Sale Contract Under IC 14-25-2 and 312 IAC 6.3; Administrative Cause No. 09-100V

Monique Riggs, Environmental Scientist with the Division of Water, presented this item. She provided the Advisory Council members copies of graphic depicting water cross-section of Monroe Lake, summarization of IP&L contract terms, and a copy of a letter from City of Bloomington Mayor, Mark Kruzan, dated May 28, 2009.

Riggs said that the State of Indiana owns water supply storage in reservoirs that were funded fully or in part by the state—Monroe Reservoir being one of those reservoirs. She said Monroe Reservoir was constructed by the Army Corps of Engineers for flood control purposes, and Indiana "kicked in" additional funds for a water supply storage component. Riggs said the State is authorized by IC 14-25-2 to enter into contracts to provide water on a unit pricing basis or to provide minimum quantities of stream flow from storage in these impoundments for which the State is compensated at a legislatively set rate of \$33 per million gallons of water.

Riggs explained that the handout shows a "very simple" cross-section of the components of Lake Monroe, which is divided into three different sections: the sediment pool, the water supply storage component between elevations 515 feet and 538 feet, and the flood control component at 538 feet to 556 feet. "The water supply storage component equates to 160,000 acre feet, and provides for a yield of 22 million gallons a day". She noted that

currently 17% of the water storage component is committed by contract. The addition of the IP&L contract would add .6%.

Rick Cockrum asked, "How much is committed?" Riggs answered, "17%." Cockrum then asked, "Of?" Riggs answered, "Of the available water supply, the storage component as a whole."

Riggs explained that it is from the storage component that IP&L is requesting a reservation of 1,000 acre feet, which would be an annual limit for periodic releases, if needed, for low flow augmentation of the White River at the Petersburg Electric Generating Plant. She said the maximum release would be 23.27 million gallons a day and that would last for 14 days at the maximum release rate of 36 cubic feet per second. "Depending on conditions, [IP&L] is not required to release at the maximum rate, so that could be adjusted. But once [IP&L] reaches that 1,000 acre feet limit, which is 325.9 million gallons, that's [IP&L's] allotment".

Riggs said that if this contract is approved, it would be IP&L's second contract with the State. She said the first contract was from 1980 to 2005. She noted that IP&L utilized that contract for release once in 1999.

Riggs explained that public meetings were held pursuant to 312 IAC 6.3. She said a summary of the public meetings was provided in the Advisory Council's packet. Riggs said two meetings were held on May 21, 2009 one in Brown County and one in Monroe County. She noted that public participation included 23 individuals that signed the roster at the Monroe County meeting, and five individuals signed in at the Brown County meeting. Riggs also noted that the summary includes "many concerns" expressed by interested parties. She said the "main concerns" expressed at the public meetings were: the maintenance of adequate drinking water supply for the City of Bloomington, Indiana University, and Monroe County residents; competing uses for the water of Monroe Lake; and the availability of water during drought conditions.

Riggs noted that Jim Hebenstreit, from the Division of Water, was present at today's meeting along with representative from IP&L.

AmyMarie Travis Lucas asked, "I would like them to address the drought concerns that were kind of addressed in the prior meeting regarding when their usage might occur during a drought situation with Lake Monroe?"

Riggs explained that IC 15-25-2 was amended to include priorities for the use of water that would be instituted in times of drought or other emergency. The limitations would be placed on lower priority water uses. She said the contract itself, as it is written, contains a section that indicates that if water "is not available for any reason—it doesn't specify what—that water is simply not available from the reservoir."

Travis Lucas then asked, "What would be the triggering mechanism for deciding that we are in a 'drought' situation? What does the water level have to drop to before that's considered, that part of the contract and that part of the statute is addressed?"

Riggs said that she was not sure there was a specific elevation.

Jim Hebenstreit, Assistant Director of the Division of Water, explained that there was a standing Drought Task Force that monitors drought conditions. "We obviously want and know Lake Monroe is a water supply for both Bloomington and IP&L. As drought develops, we start working with people who are using water from any source where there is a problem. So that would be what we would do. If it looks like we are getting to a problem with the levels in Monroe, we would start working with both, all users to reduce usage as much as possible and to try to share the hardships." He said the contracts give the State the ability, "if the water is not there, the State does not have to release the water." Hebenstreit said IP&L's situation is a "little bit more complex", because the release is "really to maintain what [IP&L] calls 'Q710', which is a low flow condition. [IP&L's] release could very well occur in winter months if [IP&L] needed a certain volume of water to maintain that flow at the plant". He noted that in 1998, the "worst" drought in 20 years, IP&L needed water, but unfortunately there are thermal limits in its permits, a release from Monroe Lake would not do IP&L any good, because they did not ask for water then.

Cockrum asked whether the contract supersedes the Drought Task Force. Hebenstreit said there are statutes that govern disasters. He said that if the Governor declares an emergency, "all bets are off. The Governor has the call on what the State does."

Kari Evans stated, "I just want to make a comment for everyone here. I probably should have jumped in right at the very beginning. I am going to recuse myself from discussion and consideration on this matter. [Indianapolis Power & Light] is a client of my law firm. I just think it is best from an appearance standpoint that I just won't take part in this discussion and consideration."

Cockrum asked whether the Mayor of Bloomington's questions expressed in his letter were addressed by the Department.

Hebenstreit said that he was not aware that a formal response was forwarded to the Mayor; however, the Division of Water contacted the Mayor's Office and provided verbal responses to the Mayor's concerns.

The Chair asked, "The amount of usage that you are contemplating, we were at 17%. This is really under normal conditions fairly *de minimis* the impact the contract has on the supply, correct?" Riggs answered in the affirmative, and explained that the IP&L contract, if approved, would add .6%.

The Chair said that the water contract request seems like a “fairly small impact” on the existing supply. “We are fortunate that all of our reservoirs have pretty significant excess capacity at this point in time based on the contracts that we have.”

Hebenstreit said the City of Bloomington has a contract to withdraw 24 million gallons per day and the IP&L contract would increase the withdraw from Lake Monroe to 40 to 45 million gallons per day, which is a third of the water supply storage available in the reservoir. Hebenstreit said the first impacts that will be seen as water levels drop are to the recreational uses of the lake, “which is really not one of the primary purposes of Lake Monroe; its water supply and low flow augmentation.”

Bill Freeman asked whether Lake Monroe was the only source of water for the Petersburg Generating Station. Hebenstreit answered, “It’s probably the only surface water source, and probably the only viable alternative to increase flow in the White River.” Freeman then asked, “[IP&L] doesn’t have wells or something that [it] uses?” Hebenstreit indicated that he was not aware of any wells.

Fred Mills, representative from Indianapolis Power & Light, indicated that wells were not available “to the quantity that is required for this kind of situation.”

Freeman asked, “Bloomington is asking to increase from 24 million gallons per day to 30 million gallons per day?” Hebenstreit answered in the affirmative; however, he noted that Bloomington has not formally requested a water contract increase.

The Chair explained that the Advisory Council is acting as the hearing officer on this matter. “And what we would do is make a recommendation to the Commission with our recommendation for approval.”

Richard Cockrum said, “I’m a little bothered that the Mayor [Mark Kruzan] was not given a response. I think he deserves that. He wrote a letter to the Department asking questions, and there isn’t a written response to answer his questions. I find that somewhat bothersome. I think he deserves that as a mayor of a pretty major city.”

The Chair said, “Can we make sure that happens?”

Jim Hebenstreit said that the Department will provide a written response to the Mayor Kruzan’s concerns.

Donald Van Meter asked, “How about the Plan Commission letter?”

Hebenstreit said that letters will be forwarded to both the Mayor of Bloomington and the Plan Commission.

Bill Freeman moved to approve the hearing officer’s report, as the Advisory Council’s report to the Commission under 312 IAC 6.3-3-4, and that the Advisory Council recommend the Commission enter a contract with Indianapolis Power & Light, under IC

14-25-2 and 312 IAC 6.3, consistent with the hearing officer's report. Donald Van Meter seconded the motion. Upon a voice vote, the motion carried, with one abstention.

Consideration of public comments received through the Fish and Wildlife Comprehensive Rules Enhancement Project regarding rules governing hunting, trapping, and taking mammals (except deer); Administrative Cause No. 09-085D

The Chair explained that approximately one year ago a process was initiated to conduct a comprehensive review of the fish and wildlife rules codified at 312 IAC 9. He noted that a Steering Committee was formed to provide the review. The Chair said the first step of readopting 312 IAC 9 was completed last year, and the second step involves proposing non-substantive changes to the existing rules. "Those [amendments] have been occurring for the past three or four meetings at the Commission." He noted that the third step in the process is to "review and consider" substantive changes to the rules. The Chair explained that today's meeting is the first public meeting to consider the "first set" of suggestions submitted through the Commission's Web site. "We had about 1,000 suggestions."

The Chair commented, "The staff has done a wonderful job of trying to sort those [suggestions] into common groups, because not any two are exactly alike but we think we have come pretty close with that." He noted that "most" of the Steering Committee—Bryan Poynter, John Davis, Phil French, John Goss, Col. Michael Crider, and Sandra Jensen—were present at today's meeting. The Chair explained that the suggestions were characterized into five major topics, and the first topic to be considered today is hunting, trapping, and taking mammals but excluding deer. "Any decisions we make have no binding affect, so we are not adopting anything or declining anything. What we are doing is we are reporting on to the next step."

The Chair explained that the Advisory Council, in reviewing the suggestions, will make one of the following recommendations to the Natural Resources Commission: (1) recommend that a suggestion "has merit or appears to have merit and a lot of support" and deserves further study and consideration; (2) recommend a suggestion "doesn't have merit. It may not be because it didn't have any merit to the person that made it, and we are not being judgmental, but either it's something we can't deal with or we already know there is a regulatory reason we can't deal with it...or it is not practical"; (3) recommend more study be given to the suggestion, which would involve Department staff reviewing the biology or social impacts; or (4) determine that a suggestion would involve legislative action. "In this particular recommendation, we can't really do anything other than refer it on to our legislative agenda." He noted that the Advisory Council is not making any biological decisions. We are not trying to do anything other than to sort through these initial 1,000 suggestions and try to make sure things are going down a funnel. So that what ends up coming out of the funnel are things that really are good for hunters and fishermen, and positive for, I guess, for all of the people in Indiana...We are trying to do what is in the best interest to the State".

The Chair announced that the following subtopics have been determined and will be reviewed as follows: (1) License Fee Structure and Added Types of Licenses; (2) Youth Licenses; (3) Senior and Low Income Licenses; (4) Lifetime Licenses; (5) Coyote and Year Round Hunting Season; (6) Coyote/Hunting and Trapping Methods and Equipment; (7) Coyote and Holding Furs for Selling; (8) Opossum and Raccoon Extended Hunting and Running Season; (9) Squirrel Extended Season; (10) Squirrel Change of Season; (11) Exotic Mammals; (12) Hunter Education; (13) Cotton Tail Rabbits; (14) Miscellaneous Licensure Suggestions; and (15) Miscellaneous Suggestions.

Richard Cockrum asked, “So at the end of the day today, will we be moving on the recommendations you went through or are we going to wait until the end in October when we have them all as a package?”

The Chair explained that the Commission will consider a “whole packet” at its November meeting. “We do not have to today to come up with what we are moving on.” He noted that as the process moves forward there may be overlap on certain topics that would provide additional information on other topics reviewed in future meetings.

John Davis explained that administrative rules expire every seven years, and noted that since 312 IAC 9 was readopted in 2008, the review process is not under an “artificial” timeframe. He noted that a legislative change was made that amended the definition of “youth” into consistency across the youth hunting regulations. A “youth” is anyone under 18 years of age.

Bryan Poynter, Chair of the Natural Resources Commission, noted that the Steering Committee is “remarkably” on schedule with the review process. He said the Steering Committee’s objective is to move “efficiently” through the process. Poynter said “substantively we hope that we can move the best of the recommendations forward.”

The Chair explained that the subtopics to be reviewed first are those to which persons had submitted cards indicating a desire to speak.

SUBTOPIC: Opossum and Raccoon Extended Hunting and Running Season

Jack Corpuz noted that he is a member of several sporting clubs. Corpuz said, “I don’t have a real problem with the season the way it is set up. I think they have plenty of opportunity the way it is.” He said the existing rule provides a “small rest period” where dogs cannot run. Corpuz said that wildlife “deserves a break for a little while... . We all have to use the same woods, and I don’t have a problem with that, but we don’t all have to use it 365 days a year”. He concluded, “Basically, I didn’t want it to be a slam dunk; I just wanted to make sure there was opposition out there”.

The Chair asked for Department staff to explain the existing rule governing the hunting and running season for opossum and raccoon.

Wayne Bivans, Chief of Wildlife, Division of Fish and Wildlife, explained that meetings were held a few years ago to discuss seasons. He said that raccoon and opossum hunting seasons are November 8th through January 31st, and dog running season from February 15th through October 14th. “There is a period of time between the dog running season and the raccoon hunting season that is closed to dogs, and a period of time after January 31st to February 15th is closed.” Bivans said that from the science and biology side, “there isn’t an issue; within the public user groups is where the issues lie.”

The Chair said that “most” of the suggestions received have to do with either extending the hunting seasons or removing closed season for running dogs to allow the ability to run dogs year round.

Jack Hyden, President of the Indiana Beagler’s Alliance, said that “we are not really asking for extended hunting season.” He explained that the raccoon “hunting world” has changed “dramatically”. The guys have gotten older and the [raccoons] haven’t gotten any slower. He said there has been a transition from actually hunting or taking the raccoon to field trials or “night hunts” to compete with individuals from other states for “bragging rights”. Hyden said that the Indiana hunters “need that extra 40 nights of training the dogs so that their dogs are as in good hunting condition, working condition, as those folks who are from some of the other states who may have those time periods that, yes, they can be out working their dog.” He noted that there are less raccoons being taken and there is more competition being done. Hyden said that most “every other” sporting dog can be out on state ground or on private ground 24 hours a day seven days a week with no restrictions. “These folks are losing 40 nights of very important training period for their dog.”

Bill Freeman asked for information regarding the history of the reason for the season closure. “There’s no biological reason apparently. Is it convenience for turkey hunting season?”

Jerry Moll from the American Kennel Club said, “Originally, it was more of a law enforcement issue because at one time pelts were very valuable...so there was a shutdown period before the raccoon taking season and after to allow law enforcement to better enforce” the season. He noted that raccoon pelts are not as valuable today. Moll said that Ohio and Kentucky has year round running season.

Richard Cockrum asked Jack Hyden whether he has noticed impacts to upland bird gaming since there is not a biological reason for the closure to running dogs.

Jack Corpuz said that he has heard from sporting groups that raccoon dogs running in the spring “bust turkeys off the roost”. He noted that bow hunters commented that deer will not “show up” in areas where dogs have been running the night before. “These groups have to work together and work things out.” He commented, “If were up to me, I would restrict all dogs to nine months or less.”

Bill Freeman said, “I have seen a lot of bird dogs...and they are kept very close” to the hunter. He asked whether there was a difference in the contact a hunter has with either raccoon dogs or bird dogs.

Hyden said that raccoon dogs are usually “fairly” close to the hunter.

Freeman asked, “What is ‘fairly’ close? Could it be a mile?”

Hyden said that dogs can run a mile from the hunter or “usually it’s going to be much closer because a raccoon loves to climb a tree.” He noted that “most of the time” the dogs are running in the woods and not in the fields where upland birds nest.

Moll said that the increased raccoon population “keeps raccoon dogs in check. When you release or free cast the dog, they are more likely to find a raccoon track closer and a lot quicker”. He noted that DNR issues permits for field trials during the closed running season.

AmyMarie Travis Lucas said that she has hunted for raccoon “maybe twice in my life. The testimony on the record so far is not consistent with my recollection of the two times I’ve hunted as far as the dogs being relatively close to the hunters.”

Crider said that he agreed with Jack Hyden in that the raccoon population has changed, but he noted, “a dog is going to go until it finds a raccoon, so if that’s two miles away but typically a good dog is going to strike out and find a track and run the track. He said that if there are no biological reasons for the running season closure, and only social reasons, “we are talking about a set of rules for which somebody could be arrested. And if there are not good valid reasons for somebody to be in that situation, then that’s kind of where Law Enforcement is coming from on this particular issue.” He noted, however, the hunter still requires permission from the land owner.

John Christopher said he is an avid bow hunter, and suggested, “If this is adopted, that it be provisional and reviewed in a year so that if there are social issues that come up that they are reviewed like the ‘one buck’ rule.”

The Chair said that rules that result from this review process “would not be conditional changes”, but noted that if rules “clearly have implications we didn’t anticipate can be dealt with”.

Christopher said, “That makes it a little more distasteful. As a bow hunter I don’t think I ever had a [raccoon] dog come by. I don’t know the impacts of this a year or two out.”

The Chair noted that Christopher’s comment is “very consistent with things we will have to take into consideration”.

Jack Hyden said, "I'm confident that the [raccoon] hunters would not have a problem saying let's give it five years and then let [the Division of] Fish and Wildlife look at it to see if [it] wants to bring a change again."

Dick Mercier, representing the Sportsmen's Round Table, indicated that "we have members on both sides of this issue so our board has actually not taken position on it".

SUBTOPIC: Coyote/Hunting and Trapping Methods and Equipment; Coyote and Holding Furs for Selling

Bill Herring indicated he was a lifelong resident of Indiana and has hunted for approximately 55 years. He noted that his father provided to him a guiding principal that "all wildlife in Indiana belongs to the state of Indiana. It was not any one individual's private possession until they had taken that wildlife in a legal manner and in legal season." He noted that rules have been amended recently to allow individuals to own wildlife as private property. Herring noted that it was "shameful" that live trapped coyotes are transported over state lines.

Herring said Indiana has a "burgeoning" coyote population, and people have differing opinions regarding coyotes. He noted that a recent rule amendment instituted a time limit to possess a live coyote, but "unfortunately, it left the opportunity for people to own, again, a live coyote in Indiana for a certain period of time." He said that as rules are considered the principle that all forms of wild mammals belong to Indiana should be kept in mind. "If we do that, we can avoid a lot of problems in the future as far as people thinking or maybe even actually owning live wild animals". He concluded, "Do not allow people to possess a live coyote for any length of time after they have trapped it. [The coyote] should be very quickly terminated."

Sandra Jensen, Administrative Law Judge for the Natural Resources Commission, explained that the Commission's Division of Hearings has received two citizens petitions for rule change that precipitated the creation of three separate administrative files. She said the petitions will "go through a committee process review" as set forth in the Commission's nonrule policy document, Information Bulletin #7, and are separate from the comprehensive rule review process being conducted by the Steering Committee. Jensen noted that the citizen petitions involve the issues of live trapping of coyotes, possession and trade in live coyotes and the running of coyotes in enclosed pens. Director Carter has appointed a committee to review the citizen petitions, and that review will be separate from this rule process.

John Davis asked for clarification regarding the existing rule governing possession of coyotes.

Jensen explained that last year a rule was adopted requiring any coyote that is taken, trapped live, outside of trapping season must be euthanized within 24 hours of being taken. She noted that there may be statutory limitations prohibiting a requirement that coyotes taken in season be euthanized.

John Davis asked for clarification of rules regarding transportation of live coyotes across state lines.

Linnea Petercheff with the Division of Fish and Wildlife explained that if coyotes are exported outside Indiana, the transportation has to be in accordance with the other state's regulations. "A lot of states are making changes regarding allowing importation of coyotes." Indiana allows, if a person has a game breeder license, the person can import a coyote and keep it in captivity under that license. An importation permit is required for coyotes to be imported into Indiana.

Bill Herring summarized, "I am in favor of basically outlawing any importation or exportation from Indiana live coyotes, and also all coyotes live trapped should be euthanized promptly."

David Lupke asked whether game breeder licenses were being issued specifically for coyote. Petercheff answered in the affirmative. She explained that traditionally the coyotes are legally obtained during the coyote season, and by statute, the game breeder is allowed to keep a coyote if the coyote has been trapped during season.

The Chair noted that the majority of the suggestions received suggested that since taking of coyotes on private property is open year round that the hunting and trapping season should also be year round.

Jack Hyden said that "quite a few" trappers that are members of the Beagler's Alliance have commented that "their biggest issue is that, again, coyotes have become basically a pest. They are a predator and they kill a lot of other game animals, rabbits, squirrels, and quail." He said a coyote pelt is "not worth that much; however, a trapper can get \$60 to \$90 out of a live coyote." He said the trappers believe that "this is a very good population control. There is an incentive there to take the coyote; whereas, for its pelt, there isn't much of an incentive."

The Chair said, "I don't want to revisit the whole enclosure thing, but the reason they are worth \$60 to \$90 live, is because they are selling [the coyotes] to people with enclosures." He reiterated that the enclosure issue will be discussed in association with the citizen petitions received in the Division of Hearings, which will be considered separate from the instant rule process.

SUBTOPIC: License Fee Structure and Added Types of Licenses; Youth Licenses; Senior and Low Income Licenses; Lifetime Licenses

John Goss, representing the Indiana Wildlife Federation, which is made up of 52 conservation groups, commented regarding licenses and the impact on the Division of Fish and Wildlife and the Division of Law Enforcement budgets. He explained that the "whole system" of funding for fish and wildlife programs is "totally" user fee based, and the Division of Law Enforcement budget "consistently" has been from license fees and

from federal funds matching those license fees. Goss said that in the 1930s it was “wisely determined” to impose a “user fee” tax on outdoor equipment, which was expanded in the ‘50s and ‘60s. “Whenever we talk about federal funding...it’s all from the people who are out there purchasing hunting, fishing, trapping, camping, hiking equipment” providing federal dollars and the state dollars come from the sale of licenses.

Goss noted that there were a number of suggestions concerning changes in licenses, such as bringing back the lifetime license. He noted that during his employment as former DNR director, license sales decreased. “We were really puzzled through the early 1990s. What we realized then was so many of the ‘regular’ hunters and fishermen were buying a lifetime license; and therefore, we were not seeing [the lifetime license holders] being counted.” He noted that an aging population and less people in the field also contributed to the decrease in license sales. Goss explained that funds from the sale of lifetime licenses were deposited in a dedicated fund, and only 5% of this fund can be used for Fish and Wildlife’s operating budget. “It’s a restricted fund, which has about a \$17 million balance.” He noted that a recent statutory change has allowed the funds to be used for land acquisition.

Goss said that “lots of people” were upset by the rescinding of the lifetime license. He said the lifetime license was a “very good” deal. He said if the lifetime license was again made available, the Indiana Wildlife Federation would support a license fee costing several thousands of dollars or three or four times the previous cost.

David Lupke asked how the lifetime license sales impact Indiana’s allotment of federal funds.

Goss explained that ten federal dollars to one state dollar. “The little increases that we’ve gotten, for example the voluntary senior fishing license, if that brought in \$10,000 that meant \$100,000” federal government. He noted that the new youth apprentice license brought in \$100,000. “We just need to be really sensitive of \$1 change. If we did a \$1 change, we could be penalizing ourselves \$10.”

Kari Evans asked, “This is based on a dollar match not a license activity match?”

Goss explained that some of the federal formulas are based per person.

Gregg McCollam, Assistant Director of the Division of Fish and Wildlife, explained that someone who purchases hunting or a fishing license is considered a certified hunter or angler. A person may purchase multiple licenses, but a person is only certified once. “Today, a certified hunter is worth \$22 in federal reimbursement, and a certified angler is worth \$11.”

Cockrum commented that if a license fee is doubled, the federal reimbursement would not double. McCollam indicated that Cockrum’s understanding was correct.

Goss said that the federal government is reviewing three proposals that would have a formula based on dollar amount. He said that on the “nongame side” Indiana is eligible to receive \$1.6 million. The state only has \$400,000 for match; however, other organizations, such as Purdue University, have been able to garner funding from the federal nongame research project. “We could be bringing that to DNR if we could match.” He said a statutory change was made so that DNR now has the flexibility to use license money to match nongame projects, some of which overlap “a lot” with habitat improvements.

Goss said the second proposal is a new \$30 million program that will require a 20% state match. “If we want to take advantage of the increase above the current formulas in this year’s proposed budget for U.S. Fish and Wildlife Service money that is available, we are going to need to find additional match dollars.” He said the third proposal is within the “Climate Bill,” the Cap and Trade Program of which over 900 hunting, fishing, sporting groups across the country have endorsed this proposal, because it includes dedicated funding for fish and wildlife. “Indiana’s share on the formula in the bill as it passed out of committee a couple weeks ago would be about \$3.5 million...and it does have dollar required match.” Goss said, “We are going to have to be scrambling for state dollars in order to take advantage of a huge increase. This would be a 30% to 35% increase potentially in federal funding.”

Goss summarized, “What we really need to be talking about are very creative ways to gradually move up any licenses that we can. I would like to suggest that we look at combination licenses...so that people are actually buying more licenses to save some money...and that we are consciously trying to figure out how are we going to create another up to \$1 million in state matching funds so that we are ready to take advantage. This is money available within the year.”

Richard Cockrum suggested that with the proliferation of online and point of sale license purchases whether a “check off” box could be added to allow purchasers to contribute “x” amount of dollars. “I don’t think it’s beyond reasonable thought at all that someone would check \$2, \$3, \$5, or \$10”. Goss said, “That’s a good idea.”

John Davis said that the Department is reviewing opportunities for donations when persons are purchasing a license online or from a vendor, renting a room in one of the inns, or when contributing through the Foundation. Regarding the lifetime license issue, Davis said, “It’s a bad bet for us to predict a cost for the rest of your life whoever you are.” Davis said that the Department “wants all the suggestions that we can have things like the apprentice license.” He noted that Indiana has “bucked the trend nationally. Our license sales are up, and we think it is because we continue to look for innovative ways and that means we don’t want to stop looking for innovative ways to get people involved and encourage youth.” Davis said the nonresident youth license was amended to encourage a parent or adult to bring a youth into Indiana to hunt so it is not cost prohibitive.

Goss said, "I just want to caution about any of the comments that we need to roll things back. I think our organization would say, 'Please don't roll anything back; let's roll forward'."

Kari Evans noted that there were a lot of suggestions about creating combination licenses, some went beyond that to make the licenses lifetime, and other suggestions requested that in any given year a person would be allowed to purchase any of the licenses all at one time. "Would that have any sort of an impact on the funding formula for the federal match? Maybe that makes it, first of all, more efficient not only for the hunter, but potentially for the agency... That's a way to get some guaranteed revenue."

John Davis said, "I think it is a very good idea. We would like to have the maximum amount of freedom. Unfortunately, the way the code is set up now every time we do a license we are in a little bit of a fix."

McCollam said the Department has been discussing license bundles and multi-year licenses, and have presented these ideas to the Fish and Wildlife Conservation Committee. He noted, however, that the federal government was concerned about allowing Indiana to bundle licenses and charge less for a license. "In other words, [the federal government] was not so sure [it] wanted to certify a hunter if [that hunter] bought something that was less than what the certified hunters were paying." In April 2009, the federal government allowed license bundling with cost discount, and agreed the purchaser would be certified. McCollam said that the Department thinks that it can bundle licenses without going to the Legislature to ask for a new category of license. "We are basically saying you can buy a deer license, a turkey license, and a game bird stamp and pay a certain amount. We are not creating something that isn't those licenses themselves." He said multiple year licenses are still being reviewed. McCollam said that perhaps by July 2010 a bundle license would be made available.

Freeman asked, "Is that your sole goal in your approach is to try to provide a discounted fee to maybe generate some more revenue? I think there is a convenience factor...that's an intangible".

The Chair said a predominant suggestion was to allow for purchase an annual license that covers all hunting and fishing activity. "Can that be done?" McCollam answered in the affirmative. He said the Department is reviewing a "hunt-fish-turkey-game bird" license, and he noted that Wisconsin has a license that is "pretty much *carte blanche*; it's a conservationist license." McCollam said the Department would "start out small" in regards to bundling licenses, but as requests for other bundles are received, the Department would expand the bundle license.

Travis Lucas expressed concern regarding multi-year licenses. "I have a great deal of difficulty explaining to judicial officers the importance of fish and wildlife laws to begin with. I would express some concern from my perspective of a multi-year license, like you talked about a 3-year license for fishing, because when a person is one year out of compliance, and they come into court and say, 'Gosh, you know, I was confused and I really thought it went to the end of the year,' I will just tell you that prosecutors will have

an extremely difficult time enforcing. If you are two or three years out, I think I can get the judge to understand, but if you are just a year out, I just foresee that being difficult from a law enforcement perspective.”

David Lupke said that the convenience “issue is key. It’s more important than the money savings...I assume most people are like me. We think we are going to do a lot more during the year than we actually accomplish. If you are excited about the hunting season that’s not going to start for six months, but you go ahead and buy your license because you are anticipating that you are going to have the time to do it, it would be nothing but a great thing.” He also commented that the Department may be “missing the boat” regarding informing the public regarding recreational opportunities, available licenses, and the relation to state and federal funding.

Freeman asked whether the cost of a lifetime license could be based on age categories such as an actuarial gradation. He asked whether lifetime licenses holders were counted as a certified hunter or angler each year. McCollam answered in the affirmative.

Jack Hyden commented that Indiana license fees are a “bargain” compared to other states.

John Davis noted that the Department’s point of sale has been online for more than four years. He said that data from the online sales is being “mined” to understand the types of recreational activities going on in Indiana. “In fishing, we found some surprises. We thought there were probably 80% of the people that bought a license all the time, and then another 20% that sometimes didn’t. We found it was the opposite. In fact, 20% of the people buy a license every year and 80% buy one and then skip a year”.

John Goss noted that “if we fully explain what the money is going for, and it’s going for good dedicated uses” the Legislature “can, in fact, vote for fee increases”. He noted that the Commission has the authority to approve license fee increases. Goss concluded, “On behalf of my groups, we certainly would like to be advocates for continually, reasonably and gradually, improving our state revenue so that we can max out on the federal level.”

Davis explained that the Legislature “set a floor” for the existing license fees in the Indiana Code. He said the statutes were amended to include a sentence that gave authority to the Commission to raise license fees in the majority of licenses. Davis said fees for approximately 30 licenses, mostly commercial, are still set by statute, which have not been amended since 1960s. He said the Department would like to have the statutes amended in order to give the Commission authority to set fees for these licenses.

SUBTOPIC: Squirrel Extended Season; Squirrel Change of Season

The Chair noted that there is “quite a bit” of support for extending squirrel season. He noted that there are “not a lot” of hunting opportunities in February.

Mitch Marcus, Wildlife Research Supervisor and Staff Specialist with the Division of Fish and Wildlife, explained that there are biological reasons supporting the current squirrel season, and the season should not be extended through into February. He said that research has shown that squirrels have two major breeding seasons, one in December and January. "Hunters would be essentially taking female squirrels that are still raising young." He noted that hunting seasons are not established during time wildlife are caring for young.

Bill Freeman noted that one suggestion requested a delay of the beginning of squirrel season.

Marcus noted that the Department has not collected data in relation to an earlier squirrel season. "We would have to look into that."

The Chair noted that some suggestions received opined that squirrel season began "too early" and should start later than August 15.

Jack Hyden said that members of the Beagler's Alliance have observed that female squirrels are "pregnant and lactating" in August. He noted, however, "We are aware there is no shortage of squirrel, so we are not sure that the August season is actually detrimental. Usually the early seasons really don't affect the overall population as much as the late seasons do, because by February and late February the animals that have made it to that point...they are now the breeding stalk for the season. Those are very important to keep."

Bill Herring noted that the majority of squirrels he has taken in the last 55 years have not been lactating females. He noted that there are fewer squirrel hunters, and the August 15 season is "not a problem".

Wayne Bivans explained that a few years ago squirrel season was extended by one month ending January 31. He said Indiana was divided into two regions for squirrel season. The two regions were combined to establish one squirrel season for entire state.

Jeff Morgan, with the Tree Dog Alliance, commented that neighboring states have extended squirrel season through February. "I assume they do not have problems with their population of squirrels."

SUBTOPIC: Exotic Mammals

The Chair said that one suggestion was received regarding feral hogs. He asked that Col. Mike Crider provide information regarding Indiana's population of feral hogs.

Crider said that releases of domesticated pigs have occurred in Indiana. "We've got a pretty good population in the south central region," and the population is spreading to other areas in the state. He said the Department encourages the taking of feral hogs, which are not protected species. Crider said that the Division of Fish and Wildlife have

received requests for importation of feral hogs for hunting enclosures. He said the Department is formatting public education outreach for landowners and hunters to encourage species management.

Travis Lucas asked whether feral hogs cause environmental damage and whether they are aggressive to humans or livestock.

Crider indicated that he was not aware of aggressiveness to humans. "I guess they could be, but they are extremely disruptive" to ground nesting birds and habitat destruction. He noted that the Board of Animal Health and other groups are concerned with the spread of disease. "There are a whole myriad of reasons why we don't these [feral pigs] to exist in the state."

David Lupke said that it is "well documented" that feral domestic pigs cause "tremendous" environmental damage. He noted that some states have "made a point" to release the large German boars that are "a much larger pig and are much more destructive and a potential threat to people".

John Bassemier asked whether feral pigs have any natural predators.

Crider said that a coyote could take piglets. He said the feral pig seems to be "pretty intelligent...The litters seem to be pretty robust".

Jim Trachtman inquired whether the domesticated pigs were released illegally. Crider answered in the affirmative.

SUBTOPIC: Hunter Education

The Chair noted that the suggestions received regarding hunter education were "all over the board". He asked Crider to provide an overview of the hunter education program.

Crider said that persons born after December 31, 1986 are required to go through the Hunter Education Course in order to be licensed. He said that in the 1970s Indiana was averaging 30 deaths a year associated with hunting accidents. The numbers have dropped "significantly" due to the "extremely successful" education program, which is supported by 900 volunteers. "If we can, we try to keep in the school system." The Department certifies 17,000 to 20,000 students per year. Crider explained that those 12 years of age or older can take the Hunter Education Course online. He said the online version is "challenging". Crider said, "We feel that the format we have now, particularly with passing the apprentice license program...is just about where we need to be".

Crider noted that hunting accidents still occur on occasion. He said some states require mandatory hunter education for all hunters since the late 1940s. Crider said that Indiana's Hunter Education program combined with "good" adult supervision, the Department has reduced hunting accidents to the level "where it's not going to get a lot

better". He noted that "most" of the approximately 15 or 16 "firearm type" incidents per year are self-inflicted. "Most of our problems are people falling out of trees".

Crider said he administrated the Hunter Education program for eight years. "I really don't see a whole lot that needs to be changed". Crider said the online course takes approximately six to seven hours to complete, and the classroom course is a mandatory ten hours.

Bill Freeman asked whether the courses take into consideration youth attention spans.

Crider said that the Department has "tried to make sure" that Indiana maintains an amount of content, actual instructive content, which would guarantee the acceptance of Indiana's hunter education certification in other states. "Basically, there are national standards that are set. Typically, the 10-hour window allows for the administrative time of registering students, allowing for lunch period, allowing for some breaks, and allowing time for the test at the end of the program." He said the online course is basically the digest of the material with a test at the end. Crider said that the online program was designed "so that it is also a good source for just basic safety information." The cost to be certified through the online course is \$15. Crider said that the Division of Law Enforcement has developed "field days" that can be used in conjunction with the online course. He explained that the list of courses offered in classroom style is "constantly" changing making it infeasible to publish in the Hunting Guide, but the list is posted on the Department's Internet site.

Crider said that Capt. David Windsor with the Division of Law Enforcement currently administers the Hunter Education Program. Crider said that the Department can demonstrate from "any review that [Indiana] is at least in the top two or three states in the Nation with what we do."

SUBTOPIC: Cotton Tail Rabbits

The Chair said the suggestions received primarily relate to "what seems to be a scarcity in early season hunting". Suggestions were made to get rid of the early season and other suggestions proposed extending the season. The Chair asked whether there was a biological reason for the decrease in cotton tail rabbit population

Wayne Bivans said that the Division of Fish and Wildlife has been conducting research regarding the rabbit population for one year. "We thought we would do another year of trying to find out if there is any kind of problems that time of year, if the season can be opened state-wide, or there are lactating females. We are not really sure and we are presently looking into it."

AmyMarie Travis Lucas asked whether there was historical data available for comparison. Bivans answered that he was not aware of data from Indiana.

Jack Hyden said he contacted “DNR” small game biologists across the country. He said that not all states responded, “but of those that did, and including Indiana, not one of [the small game biologists] felt as though an October season had a negative impact on rabbit populations overall from year to year, basically because the ground cover is thicker, the actual harvest is very small, and the majority of the reproduction is done by the end of September.”

Hyden said he received a copy of *The Population, Ecology, and Harvest of the Cotton Tail Rabbit on the Pigeon River Fish and Wildlife Area, 1962 to 1970* by Herald A. Demaree (Pittman-Robertson bulletin). He noted that the study reflected that in 1967 through 1969 the average rabbit harvest on the fish and wildlife area was 560 per year. Hyden said staff from the Pigeon River Fish and Wildlife Area reported that last year’s rabbit harvest was 527. Hyden concluded, “We have tremendously fewer rabbit hunters, but we’ve only got less than 40 rabbits difference in the harvest. I have a difficult time seeing how that could possibly pose lower hunter satisfaction.” He said that possibly the Department’s conclusion, after completing its research, will be that the October rabbit season “isn’t hurting anything at all”.

Jeff Morgan noted that the disappearance of rabbit habitat is one of the “biggest issues.”

SUBTOPIC: Miscellaneous Suggestions

The Chair noted that the suggestions listed under the “Miscellaneous Subtopic” could not be grouped. He suggested that Advisory Council members review the suggestions. “I think some of them are issues related to other things that we have talked about or will be talking about. So, I don’t know that it merits going into at this point in time.”

The Chair opened the floor for further comment. Hearing none, the Chair adjourned the meeting.

Adjournment

The meeting adjourned at 12:54 p.m., EDT.